

**ORIGINAL**

## IN THE UNITED STATES BANKRUPTCY COURT

## FOR THE DISTRICT OF DELAWARE

In re: ) Chapter 11

W. R. GRACE & CO., et al.,<sup>1</sup> ) Case No. 01-01139 (JJF)

Debtors. ) Jointly Administered

**AMENDED<sup>2</sup> NOTICE OF AGENDA OF MATTERS SCHEDULED  
FOR HEARING ON JULY 19, 2001 AT 12:00 P.M.****CONTINUED MATTERS**

1. *Motion of First Union Commercial Corporation for an order (I) Compelling Debtors to Assume or Reject Equipment Lease and to Comply with Post-Petition Lease Obligations Under Section 365(d)(10) of the Bankruptcy Code Pending Assumption or Rejection, and (II) Allowing and Directing Payment of an Administrative Claim for First Union Commercial Corporation for Unpaid Rent Under the Equipment Lease (Docket No. 483)*

**Related Documents:**

- a. [Proposed] Order Granting Motion of First Union Commercial Corporation for an order (I) Compelling Debtors to Assume or Reject Equipment Lease and to Comply with Post-Petition Lease Obligations Under Section 365(d)(10) of the Bankruptcy Code Pending Assumption or Rejection, and (II) Allowing and Directing Payment of an Administrative Claim for First Union Commercial Corporation for Unpaid Rent Under the Equipment Lease (Docket No. 483)
- b. Certificate of Service re: Docket No. 483 (Docket No. 483)
- c. Notice of Motion and Hearing re: Docket No. 483 (Docket No. 524)

<sup>1</sup> The Debtors consist of the following 62 entities: W. R. Grace & Co. (f/k/a Grace Specialty Chemicals, Inc.), W. R. Grace & Co.-Conn., A-1 Bit & Tool Co., Inc., Alewife Boston Ltd., Alewife Land Corporation, Amicon, Inc., CB Biomedical, Inc. (f/k/a Circe Biomedical, Inc.), CCHP, Inc., Coalgrace, Inc., Coalgrace II, Inc., Creative Food 'N Fun Company, Darex Puerto Rico, Inc., Del Taco Restaurants, Inc., Dewey and Almy, LLC (f/k/a Dewey and Almy Company), Ecarg, Inc., Five Alewife Boston Ltd., G C Limited Partners I, Inc. (f/k/a Grace Cocoa Limited Partners I, Inc.), G C Management, Inc. (f/k/a Grace Cocoa Management, Inc.), GEC Management Corporation, GN Holdings, Inc., GPC Thomasville Corp., Gloucester New Communities Company, Inc., Grace A-B Inc., Grace A-B II Inc., Grace Chemical Company of Cuba, Grace Culinary Systems, Inc., Grace Drilling Company, Grace Energy Corporation, Grace Environmental, Inc., Grace Europe, Inc., Grace H-G Inc., Grace H-G II Inc., Grace Hotel Services Corporation, Grace International Holdings, Inc. (f/k/a Dearborn International Holdings, Inc.), Grace Offshore Company, Grace PAR Corporation, Grace Petroleum Libya Incorporated, Grace Tarpon Investors, Inc., Grace Ventures Corp., Grace Washington, Inc., W. R. Grace Capital Corporation, W. R. Grace Land Corporation, Gracoal, Inc., Gracoal II, Inc., Guanica-Caribe Land Development Corporation, Hanover Square Corporation, Homco International, Inc., Kootenai Development Company, L B Realty, Inc., Litigation Management, Inc. (f/k/a GHSC Holding, Inc., Grace JVH, Inc., Asbestos Management, Inc.), Monolith Enterprises, Incorporated, Monroe Street, Inc., MRA Holdings Corp. (f/k/a Nestor-BNA Holdings Corporation), MRA Intermedco, Inc. (f/k/a Nestor-BNA, Inc.), MRA Staffing Systems, Inc. (f/k/a British Nursing Association, Inc.), Remedium Group, Inc. (f/k/a Environmental Liability Management, Inc., E&C Liquidating Corp., Emerson & Cuming, Inc.), Southern Oil, Resin & Fiberglass, Inc., Water Street Corporation, Axial Basin Ranch Company, CC Partners (f/k/a Cross Country Staffing), Hayden-Gulch West Coal Company, H-G Coal Company.

<sup>2</sup> Amended items appear in boldface print and are underlined.


  
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- d. Certificate of Service re: Docket No. 524 (Docket No. 524)

**Response Deadline:** June 29, 2001 at 4:00 p.m., except with respect to the Debtors, the response deadline is July 28, 2001, pursuant to an agreement among the parties.

**Responses Received:** None as of the date of this Agenda Notice.

**Status:** The parties have agreed to continue this matter until August 2, 2001 at 1:00 p.m.

**2. *Debtors' Motion for Entry of Case Management Order, Establishment of Bar Date, Approval of the Proof of Claim Forms and Approval of Notice Program (Docket No. 536)***

**Related Documents:**

- a. Notice of Debtors' Motion for Entry of Case Management Order, Establishment of Bar Date, Approval of the Proof of Claim Forms and Approval of Notice Program (Docket No. 536)
- b. [Proposed] Order (i) Approving Case Management Schedule (ii) Establishing Bar Date (iii) Approving the Proof of Claim Forms and (iv) Approving Notice Program (Docket No. 536)
- c. Affidavit of Service re: Docket No. 536 (Docket No. 536)
- d. Memorandum in Support of Debtors' Motion for Entry of Case Management Order, Establishment of Bar Date, Approval of the Proof of Claim Forms and Approval of Notice Program (Docket No. 537)
- e. Exhibits to Motion for Entry of Case Management Order, Establishment of Bar Date, Approval of the Proof of Claim Forms and Approval of Notice Program and Memorandum in Support of Debtors' Motion (Docket No. 545)
- f. Motion of the Official Committee of Asbestos Property Damage Claimants to Continue the Hearing on Debtors' Motion for Entry of Case Management Order, Establishment of Bar Date, Approval of the Proof of Claim Forms and Approval of the Notice Program, and Motion to Extend Time to Object or Respond to Such Motions (Docket No. 614)

**Response Deadline:** July 13, 2001 at 4:00 p.m.

**Responses Received:**

- a. United States' Response to Debtors' Motion for Entry of Case Management Order, Motion to Establish Bar Date, Motion to Approve Claim Forms, and Motion to Approve Notice Program (Docket No. 620)

- b. Medical Monitoring Claimants' Objection to Debtors' Motion for Entry of Case Management Order, Establishment of Bar Date, Approval of Proof of Claim Forms and Approval of Notice Program (Docket No. 536); Joinder in the Motions for Continuance and

Motion for Continuance; and Request for Consideration and Briefing Regarding Class Treatment (Docket No. 621)

c. Zonolite Plaintiffs' Objection to Debtors' Motion for Entry of Case Management Order, Establishment of Bar Date, Approval of the Proof of Claim Forms and Approval of the Notice Program, and Motion to Extend Time to Object or Respond to Such Motions; Joinder in Motion for Continuance by Official Committee of Asbestos Property Damage Claimants; Independent Motion to Continue the Hearing on Debtors' Motion; and Request for Consideration and Briefing Regarding Class Treatment (Docket No. 623)

**Status:** The parties have agreed to continue this matter until August 2, 2001 at 1:00 p.m.

3. *Motion of the Debtors for Entry of an Order Establishing Procedures for the Sale or Abandonment of De Minimis Assets (Docket No. 533)*

**Related Documents:**

- a. Notice of Motion of the Debtors for Entry of an Order Establishing Procedures for the Sale or Abandonment of De Minimis Assets (Docket No. 533)
- b. [Proposed] Order Establishing Procedures for the Sale or Abandonment of De Minimis Assets (Docket No. 533)
- c. Affidavit of Service re: Docket No. 533 (Docket No. 533)

**Response Deadline:** July 13, 2001 at 4:00 p.m.

**Responses Received:**

- a. Limited Objection of First Union Commercial Corporation to Motion of the Debtors for Entry of an Order Establishing Procedures for the Sale or Abandonment of De Minimis Assets (Docket No. 573)
- b. Response and Objection of the Official Committee of Asbestos Property Damage Claimants to Motion of the Debtors for Entry of an Order Establishing Procedures for the Sale or Abandonment of De Minimis Assets (Docket No. 574)
- c. Objection of the Official Committee of Asbestos Personal Injury Claimants to the Motion of Debtors for Entry of an Order Establishing Procedures for the Sale or Abandonment of De Minimis Assets (Docket No. 610)

**Status:** The parties have agreed to continue this matter until August 2, 2001 at 1:00 p.m.

**UNCONTESTED MATTERS**

4. *Application of the Debtors for the Entry of an Order Pursuant to 11 U.S.C. §327(e) Authorizing Employment of Nelson Mullins Riley Scarborough, LLP as Special Counsel to the Debtors (Docket No. 450)*

**Related Documents:**

a. Notice of Application of the Debtors for the Entry of an Order Pursuant to 11 U.S.C. §327(e) Authorizing Employment of Nelson Mullins Riley Scarborough, LLP as Special Counsel to the Debtors (Docket No. 450)

b. [Proposed] Order Granting Application of the Debtors for the Entry of an Order Pursuant to 11 U.S.C. §327(e) Authorizing Employment of Nelson Mullins Riley Scarborough, LLP as Special Counsel to the Debtors (Docket No. 450)

c. Affidavit of Service re: Docket No. 450 (Docket No. 450)

d. Certification of No Objection re: Docket No. 450 (Docket No. 567)

**Response Deadline:** June 25, 2001 at 4:00 p.m.

**Responses Received:** None as of the date of this Agenda Notice.

**Status:** Debtors have filed a Certification of No Objection and request that the Order attached to the Application be entered at the earliest convenience of the Court.

5. *Application of the Debtors for the Entry of an Order Authorizing the Retention and Employment of Holme Roberts & Owen LLP as Special Environmental Counsel for the Debtors (Docket No. 433)*

**Related Documents:**

a. Notice of Application of the Debtors for the Entry of an Order Authorizing the Retention and Employment of Holme Roberts & Owen LLP as Special Environmental Counsel for the Debtors (Docket No. 433)

b. [Proposed] Order Granting Application of the Debtors for the Entry of an Order Authorizing the Retention and Employment of Holme Roberts & Owen LLP as Special Environmental Counsel for the Debtors (Docket No. 433)

c. Affidavit of Service re: Docket No. 433 (Docket No. 433)

d. Certification of No Objection re: Docket No. 433 (Docket No. 566)

**Response Deadline:** June 22, 2001 at 4:00 p.m.

**Responses Received:** None as of the date of this Agenda Notice.

**Status:** Debtors have filed a Certification of No Objection and request that the Order attached to the Application be entered at the earliest convenience of the Court.

6. *Application of the Debtors for the Entry of an Order Authorizing the Retention and Employment of Reed Smith LLP as Special Asbestos Products Liability Defense Counsel for the Debtors (Docket No. 564)*

**Related Documents:**

a. Notice of Application of the Debtors for the Entry of an Order Authorizing the Retention and Employment of Reed Smith LLP as Special Asbestos Products Liability Defense Counsel for the Debtors (Docket No. 564)

b. Affidavit of James J. Restivo, Jr. in Support of the Application of the Debtors to Employ Reed Smith LLP as Special Defense Counsel for the Debtors in Asbestos Products Liability Actions (Docket No. 564)

c. [Proposed] Order Authorizing the Retention and Employment of Reed Smith LLP as Special Asbestos Products Liability Defense Counsel for the Debtors (Docket No. 564)

d. Affidavit of Service re: Docket No. 564 (Docket No. 568)

**Response Deadline:** July 17, 2001 at 4:00 p.m.

**Responses Received:** None as of the date of this Agenda Notice.

**Status:** This matter will be going forward.

## **CONTESTED MATTERS**

7. *Motion to Amend Administrative Order Establishing Procedures for Interim Compensation & Reimbursement of Expenses for Professionals and Official Committee Members (Docket No. 522)*

### **Related Documents:**

a. Motion for Order Establishing Procedures for Interim Compensation & Reimbursement of Expenses for Professionals and Official Committee Members (Docket No. 29)

b. [Signed] Order Establishing Administrative Procedures for Interim Compensation and Reimbursement of Expenses (Docket No. 196)

c. Notice of Motion and Hearing re: Docket No. 522 (Docket No. 522)

d. [Proposed] Order Approving Motion to Amend Administrative Order Establishing Procedures for Interim Compensation & Reimbursement of Expenses for Professionals and Official Committee Members (Docket No. 522)

e. Affidavit of Service re: Docket No. 522 (Docket No. 526)

**Response Deadline:** July 12, 2001 at 4:00 p.m.

**Responses Received:**

a. Limited Objection of the United States Trustee to Motion by Official Committee of Asbestos Property Damage Claimants to Amend Administrative Order to Establish Procedures for Interim Compensation and Reimbursements of Professionals and Official Committee Members (Docket No. 612)

**Status:** Based upon an agreement among the parties, this matter will not be going forward.

8. *Motion of the Debtors for an Order Pursuant to Fed.R.Bankr.P. 9006(b) Extending the Period Within Which the Debtors May Remove Actions Pursuant to 28 U.S.C. §1452 and Fed.R.Bankr.P. 9027 (Docket No. 449)*

### **Related Documents:**

a. Notice of Motion of Debtors for an Order Pursuant to Fed.R.Bankr.P. 9006(b) Extending the Period Within Which the Debtors May Remove Actions Pursuant to 28 U.S.C. §1452 and Fed.R.Bankr.P. 9027 (Docket No. 449)

b. [Proposed] Order Pursuant to Fed.R.Bankr.P. 9006(b) Extending the Period Within Which the Debtors May Remove Actions Pursuant to 28 U.S.C. §1452 and Fed.R.Bankr.P. 9027 (Docket No. 449)

c. Affidavit of Service re: Docket No. 449 (Docket No. 449)

**Response Deadline:** June 28, 2001 at 4:00 p.m.

**Responses Received:**

a. Response and Limited Objection of Official Committee of Asbestos Property Damage Claimants to Motion of Debtors for an Order Pursuant to Federal Rule of Bankruptcy Procedure 9006(b) Extending the Period Within Which the Debtors May Remove Actions Pursuant to 28 U.S.C. §1452 and Federal Rule of Bankruptcy Procedure 9027 (Docket No. 468)

**Status:** This matter will be going forward. The Order has been modified to reflect the agreement between the parties.

9. *Motion of the Debtors for Entry of an Order Authorizing and Approving an Omnibus Procedure for Settling Certain Claims and Causes of Action Brought by or Against the Debtors in a Judicial, Administrative, Arbitral or Other Action or Proceeding (Docket No. 434)*

**Related Documents:**

a. Notice of Motion of the Debtors for Entry of an Order Authorizing and Approving an Omnibus Procedure for Settling Certain Claims and Causes of Action Brought by or Against the Debtors in a Judicial, Administrative, Arbitral or Other Action or Proceeding (Docket No. 434)

b. [Proposed] Order Authorizing and Approving an Omnibus Procedure for Settling Certain Claims and Causes of Action Brought by or Against the Debtors in a Judicial, Administrative, Arbitral or Other Action or Proceeding (Docket No. 434)

c. Affidavit of Service re: Docket No. 434 (Docket No. 434)

**Response Deadline:** June 22, 2001 at 4:00 p.m.

**Responses Received:**

a. Response and Objection of the Official Committee of Asbestos Property Damage Claimants to Motion of Debtors for Entry of an Order Authorizing and Approving an Omnibus Procedure for Settling Certain Claims and Causes of Action Brought by or Against the Debtors in a Judicial, Administrative, Arbitral or Other Action or Proceeding (Docket No. 487)

b. Parties-In-Interest Hartford Accident and Indemnity Company, First State Insurance Company, and Twin City Fire Insurance Company's Response to Debtors' Motion for Entry of an Order Authorizing and Approving an Omnibus Procedure for Settling Certain Claims and Causes of Action Brought by or Against the Debtors in a Judicial, Administrative, Arbitral or Other Action or Proceeding (Docket No. 516)

c. Objection of the Official Committee of Asbestos Personal Injury Claimants to Motion of Debtors for Entry of an Order Authorizing and Approving an Omnibus Procedure for Settling Certain Claims and Causes of Action Brought by or Against the Debtors in a Judicial, Administrative, Arbitral or Other Action or Proceeding (Docket No. 520)

d. Response of the Debtors to the Objections of (i) the Official Committee of Asbestos Personal Injury Claimants and (ii) the Official Committee of Asbestos Property Damage Claimants to the Motion of the Debtors for Entry of an Order Authorizing and Approving an Omnibus Procedure for Settling Certain Claims and Causes of Action Brought by or Against the Debtors in a Judicial, Administrative, Arbitral or Other Action or Proceeding (Docket No. 626)

**Status:** This matter will be going forward. **The Order has been modified to reflect the agreement among the parties.**

10. *Application of the Debtors Pursuant to Fed.R.Bankr.P. 2014(a) of the Bankruptcy Code Authorizing the Employment and Retention of Kinsella Communications, LTD. as Notice Consultant for the Debtors and Debtors in Possession (Docket No. 546)*

**Related Documents:**

a. Notice of Application of the Debtors Pursuant to Fed.R.Bankr.P. 2014(a) of the Bankruptcy Code Authorizing the Employment and Retention of Kinsella Communications, LTD. as Notice Consultant for the Debtors and Debtors in Possession (Docket No. 546)

b. [Proposed] Order Approving Application of the Debtors Pursuant to Fed.R.Bankr.P. 2014(a) of the Bankruptcy Code Authorizing the Employment and Retention of Kinsella Communications, LTD. as Notice Consultant for the Debtors and Debtors in Possession (Docket No. 546)

c. Affidavit of Service re: Docket No. 546 (Docket No. 546)

**Response Deadline:** July 13, 2001 at 4:00 p.m.

**Responses Received:**

a. Limited Objection of the Official Committee of Asbestos Property Damage Claimants to Application of the Debtors Pursuant to Fed.R.Bankr.P. 2014(a) for the Entry of an Order Under Section 327(a) of the Bankruptcy Code Authorizing the Employment and Retention of Kinsella Communications, LTD. As Notice Consultant for the Debtors and Debtors in Possession (Docket No. 613)

**Status:** This matter will be going forward.

11. *Motion of the Official Committee of Asbestos Property Damage Claimants for an Order Pursuant to 11 U.S.C. §§ 105(a) and 1103(c) Compelling Debtors to Identify, Retain, Collect, and Organize Relevant Documents and to Make all Such Documents Available in a Central Repository (Docket No. 550)*

**Related Documents:**

a. Notice of Motion re: Docket No. 550 (Docket No. 550)

- b. [Proposed] Order re: Docket No. 550 (Docket No. 550)

**Response Deadline:** July 12, 2001 at 4:00 p.m.

**Responses Received:**

- a. Limited Objection of Sealed Air Corporation to Proposed Order of the Committee of Asbestos Property Damage Claimants Seeking to Compel Debtors to Create a Document Repository (Docket No. 605)

- b. Joinder of the Official Committee of Asbestos Personal Injury Claimants in the Motion of Official Committee of Asbestos Property Damage Claimants for an Order Pursuant to 11 U.S.C. §§ 105(a) and 1103(c) Compelling Debtors to Identify, Retain, Collect, and Organize Documents in a Central Depository (Docket No. 615)

- c. Debtors' Response to the Official Committee of Asbestos Property Damage Claimants' Motion for an Order Compelling Debtors to Identify, Retain, Collect, and Organize Documents in a Central Depository (Docket No. 616)

**Status:** This matter will be going forward.

*12. Joint Motion by the Official Committees of Asbestos Property Damage and Asbestos Personal Injury Claimants for Authority to Prosecute Fraudulent Transfer Claims (Docket No. 477)*

**Related Documents:**

- a. Notice of Motion re: Docket No. 477 (Docket No. 477)
- b. Affidavit of Service re: Docket No. 477 (Docket No. 480)

**Response Deadline:** June 29, 2001 at 4:00 p.m.

**Responses Received:**

- a. Response of Sealed Air Corporation to Joint Motion of Asbestos Property Damage and Asbestos Personal Injury Claimants for Authority to Prosecute Fraudulent Transfer Claims (Docket No. 584)

- b. National Medical Care's Response to the Joint Motion by Official Committees of Asbestos Property Damage and Asbestos Personal Injury Claimants for Authority to Prosecute Fraudulent Transfer Claims (Docket No. 606)

- c. Debtors' Opposition to the Joint Motion by the Asbestos Property Damage and Personal Injury Committees for Authority to Prosecute Fraudulent Transfer Claims (Docket No. 607)

- d. Opposition of the Official Committee of Unsecured Creditors to the Joint Motion of the Official Committees of Asbestos Property Damage Claimants and Asbestos Personal Injury Claimants for Authority to Prosecute Fraudulent Transfer Claims (Docket No. 608)

**Status:** This matter will be going forward.

*13. Motion of the Property Damage Committee to Continue Hearing on Motion for Entry of Case Management Order, Establishment of Bar Date, Approval of Claim Forms & Notice Program & Motion to Extend Time to Object or Respond to Such Motions (Docket No. 614).*

**Related Documents:**

- a. Notice of Motion re: Docket No. 614 (Docket No. 614)
- b. Debtors' Motion for Entry of Case Management Order, Establishment of Bar Date, Approval of the Proof of Claim Forms and Approval of Notice Program (Docket No. 536)

**Responses Received:**

- a. Debtors Objections to Continuance of the Hearing on its Motion for Entry of Case Management Order, Etc. (Docket No. TBD).

**Status:** This matter will be going forward.

*14. Motion for Order Granting Relief from Automatic Stay Memorandum of Points and Authorities Statement of Reasons In Support of Motion for Relief from Automatic Stay (Docket No. 159)*

**Related Documents:**

- a. Notice of Motion re: Docket No. 159 (Docket No. 160)
- b. [Proposed] Order re: Docket No. 159 (Docket No. 159)
- c. Certificate of Service re: Docket No. 159 (Docket No. 159)
- d. Certificate of Service re: Docket No. 160 (Docket No. 218)
- e. Amended Certificate of Service re: Docket No. 159 (Docket No. 366)
- f. Re-Notice of Hearing and Motion re: Docket No. 159 (Docket No. 437)
- g. Certificate of Service re: Docket No. 437 (Docket No. 437)
- h. Re-Notice of Motion of Home Saving Termite Control, Inc., and Wayne Morris for Order Granting Relief from Automatic Stay Under Section 362 of the Bankruptcy Code, Docket Item Number 159 (Docket No. 535)
- i. Second Re-Notice of Motion of Home Saving Termite Control, Inc., and Wayne Morris for Order Granting Relief from Automatic Stay Under Section 362 of the Bankruptcy Code, Docket Item Number 159 (Docket No. 547)

**Response Deadline:** July 11, 2001 at 4:00 p.m.

**Responses Received:**

- a. Debtors' Opposition to Home Savings Termite Control, Inc.'s and W.F. Morris' Motion for Relief from the Automatic Stay (Docket No. 326)

b. Objection and Opposition of Alice Graham & Gary Smolker to Home Savings Termite Control, Inc.'s and W.F. Morris' Motion for Relief from the Automatic Stay (Docket No. 532)

c. Objection to Motion of Home Saving Termite Control, Inc. and Wayne Morris for Order Granting Relief from Automatic Stay Pursuant to Second Re-Notice; Request for Telephonic Appearance; Declaration of Gary S. Smolker (Docket No. 611)

**Status:** This matter will be going forward.

*15. Motion of Jean-Paul Bolduc, Brian J. Smith, Richard N. Sukenik and Philip J. Ryan, III, former Employees of Debtors W. R. Grace & Co., for Entry of an Order Authorizing and Requiring the Debtors to Pay Certain Benefits Incurred by or on Behalf of the Former Employees (Docket No. 484)*

**Related Documents:**

a. Notice of Motion of Jean-Paul Bolduc, Brian J. Smith, Richard N. Sukenik and Philip J. Ryan, III, former Employees of Debtors W. R. Grace & Co., for Entry of an Order Authorizing and Requiring the Debtors to Pay Certain Benefits Incurred by or on Behalf of the Former Employees (Docket No. 484)

b. [Proposed] Order re: Docket No. 484 (Docket No. 484)

c. Certificate of Service re: Docket No. 484 (Docket No. 484)

**Response Deadline:** July 12, 2001 at 4:00 p.m.

**Responses Received:**

a. Objection of the Official Committee of Asbestos Personal Injury Claimants to the Motion of Certain Former Employees of Debtor W.R. Grace & Co. for Entry of an Order Authorizing and Requiring the Debtors to Pay Certain Benefits Incurred by or on Behalf of the Former Employees (Docket No. 609)

b. Objection of the Official Unsecured Creditors' Committee to the Motion of Jean-Paul Bolduc, Brian J. Smith, Richard N. Sukenik and Philip J. Ryan, III, Former Employees of Debtor W.R. Grace & Co. for Entry of an Order Authorizing and Requiring the Debtors to Pay Certain Benefits Incurred by or on Behalf of the Former Employees

c. Response of the Debtors to the Motion of Jean-Paul Bolduc, Brian J. Smith, Richard N. Sukenik and Philip J. Ryan, III, Former Executives of the Debtor W. R. Grace & Co., for the Entry of an Order Authorizing and Requiring the Debtors to Pay Certain Benefits Incurred by or on Behalf of the Former Executives (Docket No. TBD)

**Status:** This matter will be going forward.

Dated: July 17, 2001

KIRKLAND & ELLIS  
James H.M. Sprayregen  
James W. Kapp III  
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Roger J. Higgins  
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and

PACHULSKI, STANG, ZIEHL, YOUNG & JONES P.C.

*David W. Carickhoff Jr.*  
Laura Davis Jones (Bar No. 2436)  
Hamid R. Rafatjoo (CA Bar No. 181564)  
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Facsimile: (302) 652-4400

Co-Counsel for the Debtors and Debtors in Possession

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

In re: ) Chapter 11  
W. R. GRACE & CO., et al.,<sup>1</sup> ) Case No. 01-01139 (RJN)  
Debtors. ) Jointly Administered

**AFFIDAVIT OF SERVICE**

STATE OF DELAWARE )  
COUNTY OF NEW CASTLE )SS  
                        )

Patricia E. Cuniff, being duly sworn according to law, deposes and says that she is employed by the law firm of Pachulski, Stang, Ziehl, Young & Jones P.C., co-counsel for the Debtors, in the above-captioned action, and that on the 18th day of July, 2001 she caused a copy of the following document(s) to be served upon the attached service list(s) in the manner indicated:

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<sup>1</sup> The Debtors consist of the following 62 entities: W. R. Grace & Co. (f/k/a Grace Specialty Chemicals, Inc.), W. R. Grace & Co.-Conn., A-1 Bit & Tool Co., Inc., Alewife Boston Ltd., Alewife Land Corporation, Amicon, Inc., CB Biomedical, Inc. (f/k/a Circé Biomedical, Inc.), CCHP, Inc., Coalgrace, Inc., Coalgrace II, Inc., Creative Food 'N Fun Company, Darex Puerto Rico, Inc., Del Taco Restaurants, Inc., Dewey and Almy, LLC (f/k/a Dewey and Almy Company), Ecarg, Inc., Five Alewife Boston Ltd., G C Limited Partners I, Inc. (f/k/a Grace Cocoa Limited Partners I, Inc.), G C Management, Inc. (f/k/a Grace Cocoa Management, Inc.), GEC Management Corporation, GN Holdings, Inc., GPC Thomasville Corp., Gloucester New Communities Company, Inc., Grace A-B Inc., Grace A-B II Inc., Grace Chemical Company of Cuba, Grace Culinary Systems, Inc., Grace Drilling Company, Grace Energy Corporation, Grace Environmental, Inc., Grace Europe, Inc., Grace H-G Inc., Grace H-G II Inc., Grace Hotel Services Corporation, Grace International Holdings, Inc. (f/k/a Dearborn International Holdings, Inc.), Grace Offshore Company, Grace PAR Corporation, Grace Petroleum Libya Incorporated, Grace Tarpon Investors, Inc., Grace Ventures Corp., Grace Washington, Inc., W. R. Grace Capital Corporation, W. R. Grace Land Corporation, Gracoal, Inc., Gracoal II, Inc., Guanica-Caribe Land Development Corporation, Hanover Square Corporation, Homco International, Inc., Kootenai Development Company, L B Realty, Inc., Litigation Management, Inc. (f/k/a GHSC Holding, Inc., Grace JVH, Inc., Asbestos Management, Inc.), Monolith Enterprises, Incorporated, Monroe Street, Inc., MRA Holdings Corp. (f/k/a Nestor-BNA Holdings Corporation), MRA Intermedco, Inc. (f/k/a Nestor-BNA, Inc.), MRA Staffing Systems, Inc. (f/k/a British Nursing Association, Inc.), Remedium Group, Inc. (f/k/a Environmental Liability Management, Inc., E&C Liquidating Corp., Emerson & Cuming, Inc.), Southern Oil, Resin & Fiberglass, Inc., Water Street Corporation, Axial Basin Ranch Company, CC Partners (f/k/a Cross Country Staffing), Hayden-Gulch West Coal Company, H-G Coal Company.

**1. Amended Notice of Agenda of Matter Scheduled for Hearing on July 19, 2001 at 12:00 p.m.**

Dated: July 18, 2001

Patricia C. Cuniff  
Patricia E. Cuniff

Sworn to and subscribed before  
me this 18th day of July, 2001

Holly L. Dabbs-Walsh

Notary Public

My Commission Expires: 02/11/03

Grace Agenda Notice Service List for  
7/19/01 Hearing  
Case No. 01-1139  
July 18, 2001  
Document # 25938  
**01 – Hand Delivery**  
**41 - Facsimile**

**Hand Delivery**  
Clerk of the Court  
United States Bankruptcy Court  
824 North Market Street  
Wilmington, DE 19801

**Facsimile 310-201-0760**  
Hamid R. Rafatjoo, Esquire  
(Counsel to Debtors and Debtors in Possession)

**Facsimile 302-658-6395**  
Steven M. Yoder, Esquire  
(Local Counsel to DIP Lender)  
(Special Request)

**Facsimile 302-654-2067**  
William P. Bowden, Esquire  
Matthew G. Zaleski, III, Esquire  
(Local Counsel to Asbestos Claimants)  
(Special Request)

**Facsimile 302-658-3989**  
William H. Sudell, Jr., Esquire  
Eric D. Schwartz, Esquire  
(Counsel for National Medical Care, Inc.)  
(Special Request)

**Facsimile 302-658-6548**  
Mark D. Collins, Esquire  
Deborah E. Spivack, Esquire  
(Counsel for The Chase Manhattan Bank)  
(Special Request)

**Facsimile 302-658-0380**  
Jeffrey C. Wisler, Esquire  
Michelle McMahon, Esquire  
(Counsel for Maryland Casualty Company)  
(Special Request)

**Facsimile 302-656-2769**  
Francis A. Monaco, Jr., Esquire  
Frederick B. Rosner, Esquire  
(Counsel for Ingersoll-Rand Fluid Products)  
(Special Request)

**Facsimile 302-575-1714**  
Michael B. Joseph, Esquire  
Theodore J. Tacconelli, Esquire  
(Counsel for Property Damage Claimants)  
(Special Request)

**Facsimile 302-888-6333**  
Bruce E. Jameson, Esquire  
(Counsel for Travis Abner, James Gill,  
Richard Mesquita and other Asbestos  
Claimants)  
(Special Request)

**Facsimile 302-651-3001**  
Mark S. Chehi  
(Counsel for Sealed Air Corporation)  
(Special Request)

**Facsimile 312-861-2200**  
James H.M. Sprayregen, Esquire  
James Kapp, III, Esquire  
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(Special Request)

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